IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWELFTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

-

WRIT PETITION NO : 20916 of 2002

Between:

B.R. Prasd, S/o. Lingaiah,
R/o. Huzurabad, Karimnagar District.

..... PETITIONER

AND

1 The District Colelctor,
Karimnagar, Karimnagar District.
2 The Mandal Revenue Officer (FAC),
Huzurabad, Karimnagar District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction, or particularly one in the nature of Writ of Mandamus declaring the action of the 2nd Respondent in seizing the Lorry bearing No: ATK 9099 belonging to the Petitioner on
10-10-2002 as illegal, arbitrary and without Jurisdiction.

Counsel for the Petitioner: MR.A.PRABHAKAR RAO

Counsel for the Respondents : GP FOR REVENUE

The Court made the following :

ORDER:

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The Writ Petition is filed challenging the action of the second

respondent in seizing lorry of the petitioner. This Court granted the following interim order on 22.10.2002 in W.P.M.P. No.26179 of 2002.

> ".. Prima facie, there is no control as to the movement or maintaining stock of paddy or rice in the State of A.P. Further, the Mandal Revenue Officer is not conferred with power to effect seizure of the lorries. Accordingly, there shall be interim direction to the respondents to release the lorry of the petitioner subject to his giving an undertaking that he shall produce the vehicle as and when required and that he shall not alienate or encumber the same."

In the circumstances, the interim order is made absolute and the Writ Petition is disposed of accordingly. No costs.

12.07.2005

DRK

Copy to:

1 The District Colelctor, Karimnagar, Karimnagar District.
2 The Mandal Revenue Officer (FAC), Huzurabad, Karimnagar District.

3 Two CCs to the G.P. for Revenue, High Court of A.P., High Court buildings, Hyderabad (o.u.t.).

4 Two CD copies.